



UNITED STATES GOVERNMENT  
**NATIONAL LABOR RELATIONS BOARD**  
FREEDOM OF INFORMATION ACT BRANCH  
Washington, D.C. 20570

Via email

September 6, 2022

Re: FOIA Request NLRB-2022-001539

Dear Adam Marshall (Reporters Committee for Freedom of the Press):

This is in response to your request, under the Freedom of Information Act (FOIA), 5 U.S.C. § 552, received on July 14, 2022, in which you seek copies of FOIA handbooks, operating manuals, standard operating procedures, and all other records concerning its procedures and guidance for processing of FOIA requests. You assumed financial responsibility for the processing of your request in the amount of \$50.00.

We acknowledged your request on July 14, 2022. In a July 19, 2022 email from a member of my staff, we provided you with the below responsive information and the links to access the referenced, responsive documents:

- The FOIA Manual used by our staff: <https://www.nlr.gov/guidance/key-reference-materials/manuals-and-guides>.
- Section 102.117 of our Agency's Rules and Regulations applicable to FOIA requests: [Rules and Regulations](#)
- The guide utilized by our staff when processing requests using FOIAOnline, which is our request handling system: <https://foiaonline.gov/foiaonline/action/public/submissionDetails?trackingNumber=NLRB-2021-001098&type=Request>; and
- The GC Memorandum 15-07 issued by our General Counsel regarding the release of records pursuant to the FOIA: <https://www.nlr.gov/guidance/memos-research/general-counsel-memos>.

In a follow-up July 21, 2022 email, the same staff member asked you to inform us if the previously provided information was sufficiently responsive to allow us to close your request. Having not received a response, the staff member sent you an email on July 25, 2022 informing that, absent a reply from you by July 29, 2022, your request would be administratively closed as satisfied by the proactively posted documents provided to you in the July 19, 2022 email.

Having not received a response from you to date, your FOIA request has been processed as a full grant final disposition. Specifically, given that the records

responsive to your FOIA request are proactively posted on our Agency website, and can be accessed at the above links, your request has been satisfied, and is hereby closed.

For the purpose of assessing fees, we have placed you in Category C, as a representative of the news media, in that you qualify as a person “actively gathering news for an entity that is organized and operated to publish or broadcast news to the public.” NLRB Rules and Regulations, 29 C.F.R. § 102.117(d)(1)(vii). Accordingly, there is no charge assessed for this request. Given your placement as a news media requester, your request for a fee waiver is moot.

You may contact Michael A. Maddox, the FOIA Attorney-Advisor who processed your request, at (202) 273-0013 or by email at [Michael.Maddox@nrlb.gov](mailto:Michael.Maddox@nrlb.gov), as well as the Agency’s FOIA Public Liaison, for any further assistance and/or to discuss any aspect of your request. The FOIA Public Liaison, in addition to the FOIA Attorney-Advisor, can further explain responsive and releasable agency records, suggest agency offices that may have responsive records, and/or discuss how to narrow the scope of a request in order to minimize fees and processing times. The contact information for the FOIA Public Liaison is:

Kristine M. Minami  
FOIA Public Liaison  
National Labor Relations Board  
1015 Half Street, S.E., 4<sup>th</sup> Floor  
Washington, D.C. 20570  
Email: [FOIAPublicLiaison@nrlb.gov](mailto:FOIAPublicLiaison@nrlb.gov)  
Telephone: (202) 273-0902  
Fax: (202) 273-FOIA (3642)

After first contacting the Agency, you may additionally contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA dispute resolution services it offers. The contact information for OGIS is:

Office of Government Information Services  
National Archives and Records Administration  
8601 Adelphi Road-OGIS  
College Park, Maryland 20740-6001  
Email: [ogis@nara.gov](mailto:ogis@nara.gov)  
Telephone: (202) 741-5770  
Toll free: (877) 684-6448  
Fax: (202) 741-5769

You may obtain a review of this determination under the NLRB Rules and Regulations, 29 C.F.R. § 102.117(c)(2)(v), by filing an administrative appeal with the Division of Legal Counsel (DLC) through FOIAonline at: <https://foiaonline.gov/foiaonline/action/public/home> or by mail or email at:

Nancy E. Kessler Platt  
Chief FOIA Officer  
National Labor Relations Board  
1015 Half Street, S.E., 4<sup>th</sup> Floor  
Washington, D.C. 20570  
Email: [DLCFOIAAppeal@nrlrb.gov](mailto:DLCFOIAAppeal@nrlrb.gov)

Any appeal must be postmarked or electronically submitted within 90 calendar days of the date of this letter. Any appeal should contain a complete statement of the reasons upon which it is based.

Please be advised that contacting any Agency official (including the FOIA Attorney-Advisor, FOIA Officer, or the FOIA Public Liaison) and/or OGIS does not stop the 90-day appeal clock and is not an alternative or substitute for filing an administrative appeal.

Sincerely,

/s/ *Synta E. Keeling*

Synta E. Keeling  
FOIA Officer